

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TITO DAVID VALDEZ, JR.,

No. C 05-4443 SI (pr)

Plaintiff,

ORDER

v.

JEANNE WOODFORD; et al.,

Defendants.

Plaintiff's request for an order compelling prison officials to comply with the court's August 31, 2006 order is DENIED. (Docket # 66.) Plaintiff urges that prison officials' refusal to allow a family visit for him on one particular day – December 1, 2006, the day of a Christmas party – violates the court's August 31, 2006 order. He errs. Plaintiff's papers indicate that prison officials refused a visit on only one particular day; plaintiff may choose another day to visit with his family. Deciding whether plaintiff should be able to attend a Christmas party is the kind of day-to-day prison administrative decision on which the court will defer to prison officials' judgment. See Turner v. Safley, 482 U.S. 78, 86 (1987); see also Wright v. Rushen, 642 F.2d 1129, 1132 (9th Cir. 1981) (courts should avoid enmeshing themselves in minutiae of prison operations in name of constitution).

Plaintiff's request for an extension of time to file his opposition to the motion for summary judgment is GRANTED, although the court will not grant the 90-day extension requested as it is unnecessarily long. (Docket # 76.) The existing briefing schedule on defendants' motion for summary judgment is vacated and replaced with the following deadlines:


1 1. Plaintiff must file and serve his opposition to the motion for summary judgment
2 no later than **February 2, 2007**. No further extensions will be permitted.

3 2. If defendants wish to file a reply brief, they must file and serve their reply brief
4 no later than **February 16, 2007**.

5 Lastly, plaintiff has written a letter to the court inquiring about the court's receipt of his
6 filing fee. The filing fee for this action was \$250.00. The court's finance office reports that it
7 has not received any payment toward that filing fee as of today. Plaintiff also has a second
8 action pending in this court, i.e., Case No. 06-4438 SI; the court had not yet assessed the initial
9 partial filing fee for that action and the court's finance office reports that it has not received
10 any payment toward that filing fee as of today. Plaintiff should direct any inquiries about the
11 handling of his prison trust account to the prison trust account office, and not to the court.

12 IT IS SO ORDERED.

13 Dated: November 14, 2006



SUSAN ILLSTON
United States District Judge